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 Franklin Enterprises, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

FRANKLIN ENTERPRISES, INC., a
 Liberia company,

 Plaintiff,

 vs.

 PASSPORT CAPITAL, LLC, a
 Delaware limited liability company;
 PASSPORT MANAGEMENT, LLC, a
 Delaware limited liability company;
 PASSPORT ENERGY FUND, LTD., a
 British Virgin Islands business
 company; PASSPORT ENERGY
 MASTER FUND SPC, LTD., a British
 Virgin Islands segregated portfolio
 company; and JOHN H. BURBANK III,
 an individual,

 Defendants.

Case No. C 08-4797 SI

**[PROPOSED] ORDER
 RESCHEDULING DEFENDANTS'
 MOTION TO DISMISS AND
 INITIAL CASE MANAGEMENT
 CONFERENCE**

Hon. Susan Illston
 Ctrm 10, 19th Floor

Action Filed: October 20, 2008
 Trial Date: None Set

1 The Court, pursuant to the parties' Joint Stipulation filed January 2, 2009, and
2 having fully considered herein the papers filed by the parties in relation to
3 Defendants' Administrative Motion Pursuant to Civil Local Rule 7-11 to Reschedule
4 Hearing Date and Initial Case Management Conference, and good cause appearing
5 therefor,

6 IT IS HEREBY ORDERED that,

7 1. The hearing on Defendants' Motion to Dismiss Complaint will be on
8 February 6, 2009, at 9:00 a.m.;

9 2. Plaintiff's opposition and Defendants' reply briefs regarding
10 Defendants' Motion to Dismiss Complaint will be filed as required by L.R. 7-3;

11 3. The Initial Case Management Conference currently scheduled for
12 January 30, 2009 will be rescheduled to February 27, 2009, at 2 p.m.

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16 Dated: _____



HONORABLE SUSAN ILLSTON
United States District Court Judge